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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISAMARIA MARTINEZ,

Plaintiff,

v.

**COUNTY OF ALAMEDA, MELISSA
WILK**, in her individual capacity, **EVA HE**,
in her individual capacity, **MARIA LAURA
BRIONES**, in her individual capacity,

Defendants.

Case No. 3:20-cv-06570-TSH

**DECLARATION OF LUCIA GRECO
IN SUPPORT OF PLAINTIFF'S
STATEMENT OF FACTS AND
OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT ON DECLARATORY
RELIEF**

Hearing Date: January 5, 2023
Hearing Time: 9:30am
Courtroom: by Zoom video conference
Judge: Hon. Thomas S. Hixson

I, Lucia Greco, declare:

1. This declaration is based on my personal knowledge. I am competent to testify on the matters stated and declare that these items are true and accurate to the best of my knowledge and belief.

1 2. I am blind. My blindness prevents me from visually reading print or independently
2 completing paper or inaccessible electronic PDF forms.

3 3. My business, Access Aces, had a need to file the FBNS form offered by Alameda County,
4 where I reside.

5 4. At approximately 1:55 p.m. on Thursday, December 15, 2022, I arrived at the Alameda
6 County Clerk Recorder's Office, 1106 Madison St., Oakland, CA 94607 ("CRO"). I intended to
7 file a fictitious business name statement ("FBNS") for Access Aces.

8 5. I approached the counter in the CRO and was immediately served without any need to
9 wait in a line. A female CRO staff member greeted me. I said that I needed to fill out an FBNS
10 form for my Alameda County business. The female staff member asked if I had a pen. I replied
11 that I did not and that I would need help filling out the form because of my disability. I was
12 traveling with my guide dog in harness at the time.

13 6. The female CRO staff member pulled out a blank FBNS form and began reading me the
14 questions on the form as she was transcribing my spoken answers into the form in the spaces
15 provided. I didn't know the answer to one question about the legal entity of my business and
16 needed to make a phone call to obtain the information. The female staff member handed me the
17 partially filled out FBNS form as well as a second blank FBNS form and I stepped away from the
18 counter to make a call.

19 7. I quickly made a phone call at 2:03 p.m., confirmed the type of legal entity for my
20 business, joined the counter line behind one person, and then was greeted again by a second male
21 CRO staff member. I announced that I had found the answer to my question. The same female
22 staff member asked me what the answer was and indicated that she would be speaking to me.
23 The male CRO staff member took my papers and handed them back to the female staff member.

24 8. The female CRO staff member finished transcribing all of my information into the FBNS
25 form. She then asked me to step aside for a moment while she typed out my answers for
26 legibility into a version on her computer and printed the completed FBNS form. I did so and
27 waited for her to finish.
28

9. The entire process of transcribing my information on the FBNS form with the CRO staff member acting as a scribe, including my stepping out of line to make a phone call, took less than five minutes to complete.

10. Once the female CRO staff member had printed the FBNS form with my information, she approached me and gave instructions on where in the building I should go to file it. She ended up simply guiding me across the building to a female filing clerk who spoke with an accent. It was approximately 2:15 p.m. at this point. The female filing clerk with the accent asked the female CRO staff member to read over my answers to make sure they were accurate. The female CRO staff member did so, carefully spelling items where there was any chance of ambiguity. Everything was indeed correct. I signed the form, paid \$40 in cash and filed my FBNS form. I was then given official copies and instructions on the identity of each document and the newspaper publishing requirements.

11. I left the CRO at approximately 2:23 p.m. having filed my FBNS form with the services I would have expected from the CRO.

12. A few days before visiting the CRO on December 15, 2022, I had attempted to fill out the electronic FBNS form that Alameda County presently offers on its website. I downloaded the form titled "GBNS275-321FictitiousBusinessNameStatement-REV111422.pdf" from the website <http://www.acgov.org/auditor/clerk/fbnforms.htm>.

13. While my screen reader could read aloud some portions of the instructions of this FBNS form, I could not complete the form or fill out any of the fields with my NVDA screen reader. I tried to do so in both the Chrome browser as well as a locally installed copy of the Adobe Acrobat program on my computer. Neither method enabled me to fill out the fields in this form with a screen reader.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 22, 2022

DocuSigned by:
Lucia Greco
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Lucia Greco